

034942-237
(formerly 110509DSP.US)

#7
12-09-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Brian Sander
SERIAL NO.: 09/852,818
FILING DATE: May 9, 2001
TITLE: DATA SAMPLER FOR DIGITAL FREQUENCY/PHASE
DETERMINATION
EXAMINER: [not yet assigned]
ART UNIT: 2631

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DECLARATION AND CONSENT OF ASSIGNEE

I hereby declare that:

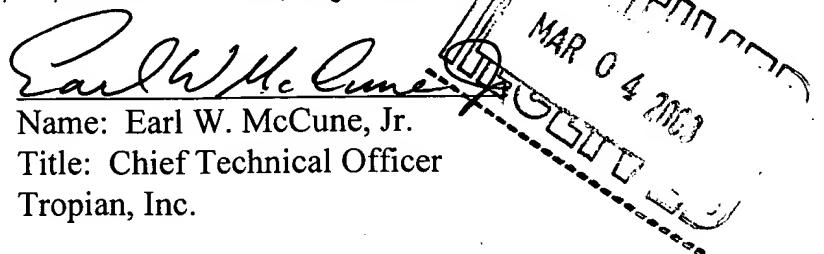
I am authorized to act on behalf of the Assignee, Tropian, Inc.

The entire title to the patent application identified above is vested in the Assignee as evidenced by the attached Assignment, which was recorded at Reel 011808, Frame 0846.

I hereby revoke any Powers of Attorney previously given in this matter and appoint the following attorneys to prosecute the above-identified patent application and to transact all business in the Patent and Trademark Office connected therewith:

Robert E. Krebs, Registration No. 25,885; David B. Ritchie, Registration No. 31,562; Marc S. Hanish, Registration No. 42,626; John P. Schaub, Registration No. 42,125; Adrienne Yeung, Registration No. 44,000; Steven J. Robbins, Registration No. 40,299; Thierry K. Lo, Registration No. 49,097; William Samuel Niece, Registration No.: 47,824; J. Davis Gilmer, Registration No. 44,711; William E. Winters, Registration No. 42,232, Masako Ando, (37 C.F.R. §10.9 (b)); and John Klaas Uilkema, Registration No. 20,282; Becky L. Troutman, Registration No. 36,703; and Hal J. Bohner, Registration No. 27,856.

Dated: 5 Feb 2003


Name: Earl W. McCune, Jr.
Title: Chief Technical Officer
Tropian, Inc.

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AUGUST 03, 2001



PTAS

TROPIAN, INC.
MICHAEL J. URE
20813 STEVENS CREEK BOULEVARD, SUITE 150
CUPERTINO, CA 95014-5649



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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/09/2001

REEL/FRAME: 011808/0846
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
SANDER, BRIAN

DOC DATE: 05/09/2001

ASSIGNEE:
TROPIAN, INC.
20813 STEVENS CREEK BOULEVARD,
SUITE 150
CUPERTINO, CALIFORNIA 95014-5649

SERIAL NUMBER: 09852818
PATENT NUMBER:

FILING DATE: 05/09/2001
ISSUE DATE:

JÉEVON JONES, EXAMINER
ASSIGNMENT DIVISION
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05-22-2001

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Mark if additional names of conveying parties attached Execution Date
 Month Day Year

Name (line 1) Brian SANDER 05 09 2001

Name (line 2)

Second Party

Name (line 1)
 Name (line 2)

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Name (line 1) TROPIAN, INC. If document to be recorded
 is an assignment and the
 receiving party is not
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 States, an appointment
 of a domestic
 representative is attached.
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 separate document from
 Assignment.)

Name (line 2)

Address (line 1) 20813 Stevens Creek Boulevard, Suite 150

Address (line 2)

Address (line 3) Cupertino California 95014-5649 Zip Code

Domestic Representative Name and Address

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Name

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Mail documents to be recorded with required cover sheet(s) information to:
 Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address **Area Code and Telephone Number** **(408) 865-1300**

Name **TROPIAN, INC.**

Address (line 1) **ATTENTION: PATENT COUNSEL**

Address (line 2) **20813 Stevens Creek Boulevard, Suite 150**

Address (line 3) **Cupertino, CA 95014-5649**

Address (line 4)

Pages Enter the total number of pages of the attached conveyance document
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Application Number(s) or Patent Number(s)

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If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month **05** Day **09** Year **2001**

Patent Cooperation Treaty (PCT)

PCT PCT PCT

Enter PCT application number

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has not been assigned.

PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): **\$ 40**

Method of Payment:

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Deposit Account

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Deposit Account Number:

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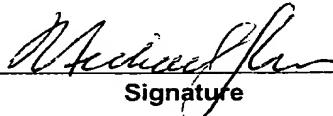
Yes

No

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Michael J. Ure



09 MAY 2001

Name of Person Signing

Signature

Date

ASSIGNMENT

(SOLE)

THIS ASSIGNMENT, by Brian SANDER
residing at 5504 Perugia Circle, San Jose, California 95138
(hereinafter referred to as "the Assignor"), witnesseth:

WHEREAS, the Assignor has invented certain new and useful improvements in
DATA SAMPLER FOR DIGITAL FREQUENCY/ PHASE DETERMINATION
set forth in an application, which is a

provisional application non-provisional application

1. (a) filed herewith;
(b) to be filed;
2. having an oath or declaration executed on even date herewith prior to filing of application;
3. bearing Application No. _____, and filed on _____; and

WHEREAS, TROPIAN, INC., a corporation duly organized under and pursuant to the laws of THE STATE OF CALIFORNIA, and having its principal place of business at 20813 Stevens Creek Boulevard, Suite 150, Cupertino, California 95014-5649 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred, and set over, and by these presents does sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said application, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignor had this sale and assignment not been made;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignor is the sole and lawful owner of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

Application No. _____
Attorney's Docket No. 110509DSP.US

AND the Assignor hereby requests the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee, as the Assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date 5/9/01

Signature of Assignor 